



04-23-04

2856

Practitioner's Docket No. 1012-166C2

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hajduk et al.

Application No.: 10/712,617

Group No.: 2856

Filed: 11/12/2003

Examiner: Larkin, D.

For: RHEOMETER FOR RAPIDLY MEASURING SMALL QUANTITY SAMPLES

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

## STATUS

2. Applicant is other than a small entity.

## EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

(When using *Express Mail*, the *Express Mail* label number is **mandatory**;  
*Express Mail* certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## 37 C.F.R. § 1.8(a)

G with sufficient postage as first class mail.

## 37 C.F.R. § 1.10\*

G as "Express Mail Post Office to Addressee"  
Mailing Label No. EV 364952104 (mandatory)

## TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_ - \_\_\_\_\_.

Signature

Date:

4-28-04

Wendy Morgan

(type or print name of person certifying)

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDIT. FEE	
TOTAL	1	- 20	= 0	x	\$ 18.00	= \$	0.00
INDEP.	1	- 3	= 0	x	\$ 86.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$ 0.00	= \$	0.00
TOTAL						ADDIT. FEE	\$ 0.00

No additional fee for claims is required.

### FEE DEFICIENCY

5. An additional extension and/or fee is required, charge Account No. 50-0496.

An additional fee for claims is required, charge Account No. 50-0496.

Date:

7/22/04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Re application of: Hajduk et al.

Group Art Unit: 2856

Serial No.: 10/712,617

Examiner: Larkin, D.

Filed: November 12, 2003

For: RHEOMETER FOR RAPIDLY MEASURING SMALL QUANTITY SAMPLES

Attorney Docket No.: 1012-166C2

Assistant Commissioner of Patents  
Washington, D.C. 22031

**FIRST PRELIMINARY AMENDMENT**

In response to a Notice of Non-compliant Amendment dated March 29, 2004 and prior to examination, please amend the above-identified application as follows.